



FLOOR AMENDMENT NO. _____

BY: CELIA ISRAEL

1 Amend Amendment No. ____ by Goldman to S.B. No. 5 (85S12651)

2 as follows:

3 (1) Add the following appropriately numbered SECTIONS to
4 the amendment and renumber subsequent SECTIONS of the amendment
5 accordingly:

6 SECTION _____. Section 84.038, Election Code, is amended to
7 read as follows:

8 Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION.

9 The cancellation of an application for a ballot to be voted by
10 mail under Section 84.032(c), (d), or (e) is effective for a
11 single ballot only and does not cancel the application with
12 respect to a subsequent election, including a subsequent
13 election to which the same application applies under Section
14 84.001(e), ~~[or]~~ 86.0015(b), or 86.0131.

15 SECTION _____. Section 86.013, Election Code, is amended by
16 amending Subsections (c), (d), and (g) and adding Subsections
17 (h) and (i) to read as follows:

18 (c) A certificate in substantially the following form must
19 be printed on the reverse side of the official carrier envelope
20 in a manner that requires the voter to sign across the flap of
21 the envelope:

22 "I certify that the enclosed ballot expresses my wishes
23 independent of any dictation or undue persuasion by any person.

24 _____

25 Signature of voter

26 By: _____

27 Sign

28 ature of person assisting voter,
29 if applicable (see Ballot Envelope
30 and separate sheet accompanying

Carrier Envelope for restrictions
and penalties)

Printed name of person assisting voter, if applicable

Resi
dence address of person assisting
voter, if applicable"

The space provided for the voter's signature must be located in
a box that is at least one inch by three inches, and "Signature
of Voter" and "Sign Over the Sealed Flap" must be printed in
bold type.

(d) The following textual material, as prescribed by the secretary of state, must be printed ~~[on the reverse side of the official carrier envelope or]~~ on a separate sheet accompanying the carrier envelope ~~[when it is provided]:~~

(1) the prohibition prescribed by Section 86.006(b);

(2) the conditions for delivery by common or contract carrier prescribed by Sections 81.005 and 86.006;

(3) the requirements for the legal execution and delivery of the carrier envelope, including the prohibition on compensation for depositing carrier envelopes containing ballots voted by other persons under Section 86.0052;

(4) the prohibition prescribed by Section 86.006(e);
[and]

(5) the offenses prescribed by Sections 86.006(f) and 86.010(f);

(6) instructions for the renewal application
prescribed by Section 86.0131; and

1 (7) any additional information required to instruct
2 the voter.

3 (g) The secretary of state by rule shall require that a
4 notice informing voters of the telephone number established
5 under Section 31.0055 and the purpose of the telephone number be
6 printed on[+]

7 ~~[(1) the official carrier envelope, or~~
8 ~~[(2)]~~ an insert enclosed with the balloting materials
9 for voting by mail sent to the voter.

10 (h) The secretary of state shall adopt guidelines for the
11 textual material required under Subsection (d) and the format of
12 the carrier envelope in consultation with plain language experts
13 and after determining the best practices for drafting the
14 textual material and designing the carrier envelope. The
15 secretary of state may inform the counties of any best practices
16 determined under this subsection to be used in developing
17 election materials.

18 (i) The carrier envelope may not be printed to require an
19 assistant or witness who completes the information required by
20 Subsection (c) to additionally check or otherwise make a
21 selection mark indicating that an assistant or witness was used.

22 SECTION _____. Chapter 86, Election Code, is amended by
23 adding Section 86.0131 to read as follows:

24 Sec. 86.0131. RENEWAL APPLICATION FOR BALLOTS BY MAIL ON
25 CARRIER ENVELOPE. (a) The following renewal application shall
26 be printed on the carrier envelope, preceded by a box for the
27 voter to indicate by a check mark their desire to receive all
28 ballots until December 31 of the next year:

29 "I request all future ballots for the remainder of this
30 voting cycle until December 31 of the next year.

31 "If applicable, I wish to vote in the: (check one)
32 ____ Democratic Primary

1 Republican Primary

2 I do not wish to vote in a party primary."

3 (b) The renewal application must state the period for
4 which the renewal application is effective, and must provide
5 spaces to mark the voter's signature, the date, and the voter's
6 telephone number and e-mail address.

7 (c) If the voter, or a witness as provided by Section
8 84.003, does not sign the renewal application, the renewal
9 application is invalid.

10 (d) If for any reason the ballot is rejected for the
11 specific election, the application for future ballots shall be
12 valid if it is signed and the appropriate box is checked.

13 (e) If the voter does not mark a specific primary or the
14 box stating the voter does not wish to vote in a primary, the
15 clerk shall treat the application as if the voter indicated "I
16 do not wish to vote in a party primary."

17 (f) A renewal application under this section shall be
18 processed in the same manner as an original application for a
19 ballot by mail under this code.

20 (g) Notwithstanding any other provision of this code, a
21 renewal application submitted under this section serves as an
22 application for a ballot to be voted by mail for every election
23 until December 31 of the year following the date of the election
24 for which the ballot containing the renewal application was
25 returned. The subsequent submission of an application to vote
26 early by mail under any provision of this code does not
27 supersede the renewal under this section unless the voter
28 changes the address to which the voter's ballot is to be sent.

29 (h) The secretary of state shall prescribe rules and
30 procedures as necessary to implement this section.

31 SECTION _____. Section 87.041, Election Code, is amended by
32 adding Subsections (h) and (i) to read as follows:

1 (h) The board may not reject a ballot solely on the
2 grounds that a signature on the carrier envelope certificate is
3 not located entirely in the space provided for the signature.

4 (i) The board may not reject a ballot solely on the
5 grounds that an assistant or witness who provided all the
6 information on the carrier envelope under Section 86.013(c)
7 failed to provide an indication that an assistant or witness was
8 used if the assistant or witness complied with Section
9 86.010(e).

10 SECTION _____. Section 87.044, Election Code, is amended by
11 adding Subsection (c) to read as follows:

12 (c) The early voting ballot board shall deliver to the
13 early voting clerk any early voting applications included as
14 provided by Section 86.0131 on a carrier envelope with a ballot
15 voted in an election held on the November uniform election date
16 regardless of whether the ballot is accepted.